

local environmental reviews or authorization decisions.

SA 2334. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1065, line 17, insert “, motorcyclists,” after “bicyclists”.

SA 2335. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2639, strike line 6 and all that follows through page 2642, line 16, and insert the following:

(1) \$27,500,000,000 shall be for a bridge replacement, rehabilitation, preservation, protection, and construction program, *Provided further*, That, except as otherwise provided under this paragraph, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That a project funded with funds made available under this paragraph shall be treated as a project on a Federal-aid highway: *Provided further*, That, of the funds made available under this paragraph for a fiscal year, 3 percent shall be set aside to carry out section 202(d) of title 23, United States Code: *Provided further*, That funds set aside under the preceding proviso to carry out section 202(d) of that title shall be in addition to funds otherwise made available to carry out that section and shall be administered as if made available under that section: *Provided further*, That for funds set aside under this paragraph to carry out section 202(d) of title 23, United States Code, the Federal share of the costs shall be 100 percent: *Provided further*, That up to ½ of 1 percent of the amounts made available under this paragraph in each fiscal year shall be for the administration and operations of the Federal Highway Administration: *Provided further*, That for the purposes of funds made available under this heading for a bridge replacement and rehabilitation program, (A) the term “State” means any of the 50 States or the District of Columbia; and (B) the term “qualifying State” means any State in which the percentage of total deck area of bridges classified as in poor condition in such State is at least 5 percent or in which the percentage of total bridges classified as in poor condition in such State is at least 5 percent: *Provided further*, That, of the funds made available under this heading for a bridge replacement and rehabilitation program, the Secretary shall reserve \$300,000,000 for each State that does not meet the definition of a qualifying State: *Provided further*, That, after making the reservations under the preceding proviso, the Secretary shall distribute the remaining

funds made available under this heading for a bridge replacement and rehabilitation program to each qualifying State by the proportion that the percentage of total deck area of bridges classified as in poor condition in such qualifying State bears to the sum of the percentages of total deck area of bridges classified as in poor condition in all qualifying States: *Provided further*, That for the bridge replacement and rehabilitation program, no qualifying State shall receive more than \$1,200,000,000, each State shall receive an amount not less than \$300,000,000, and after calculating the distribution of funds pursuant to the preceding proviso, any amount in excess of \$1,200,000,000 shall be redistributed equally among each State that does not meet the definition of a qualifying State: *Provided further*, That funds provided to States that do not meet the definition of a qualifying State for the bridge replacement and rehabilitation program shall be (A) merged with amounts made available to such State under this paragraph; (B) available for activities eligible under this paragraph; and (C) administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That, except as provided in the preceding proviso, the funds made available under this heading for a bridge replacement and rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That for purposes of this heading for the bridge replacement and rehabilitation program, the Secretary shall calculate the percentages of total deck area of bridges (including the percentages of total deck area classified as in poor and the percentages of total bridge counts (including the percentages of total bridges classified as in poor condition) based on the National Bridge Inventory as of December 31, 2018:

SA 2336. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV of division A, add the following:

SEC. ____ TRIBAL TRANSPORTATION.

(a) TRIBAL TRANSPORTATION PROGRAM.—

(1) IN GENERAL.—Section 202 of title 23, United States Code, is amended—

(A) in subsection (a)(9)(A), by striking “construction and improvement” and inserting “construction, improvement, and highway safety”;

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking subparagraph (D) and inserting the following:

“(D) ADDITIONAL FACILITIES.—

“(i) IN GENERAL.—Not later than 270 days after the date of enactment of the Infrastructure Investment and Jobs Act, and not less frequently than every 3 years thereafter, the Secretary of the Interior shall publish in the Federal Register a notice requesting proposals from Indian tribes to include additional transportation facilities that are eligible for funding under the tribal transportation program in the inventory described in subparagraph (A), if those proposed additional facilities are included in the inventory in a uniform and consistent manner nationally.

“(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph—

“(I) prohibits the Secretary of the Interior from including in the inventory under subparagraph (A) additional transportation facilities more frequently than required under clause (i), including, as necessary, in response to a proposal from an eligible Indian tribe submitted during a period not described in the notice under clause (i); or

“(II) requires Indian tribes to submit proposals to the Secretary of the Interior in response to the notice required under clause (i).”; and

(II) by adding at the end the following:

“(F) PUBLIC AVAILABILITY.—The Secretary of the Interior shall ensure that all non-confidential information within the inventory described in subparagraph (A) is made available—

“(i) in a user-friendly manner on the public website of the Department of the Interior; and

“(ii) in a manner capable of being searched and downloaded by users of the public website of the Department of the Interior.”; and

(i) in paragraph (3)(B), in the matter preceding clause (i), by striking “fiscal year 2012” and inserting “the most recent fiscal year for which data is available”;

(C) in subsection (c)—

(i) in paragraph (3)—

(I) in subparagraph (A), by striking “; and” at the end and inserting a period;

(II) by striking subparagraph (B); and

(III) in the matter preceding subparagraph (A), by striking “shall be—” and all that follows through “selected by” in subparagraph (A), and inserting “shall be selected by”; and

(ii) by adding at the end the following:

“(4) NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.—Notwithstanding any other provision of this section, amounts made available to Indian tribes under subsection (b)(3) may be used for planning and design activities related to applications for grants under the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act (23 U.S.C. 201 note; Public Law 114-94).”; and

(D) in subsection (e)(2), by striking “as appropriate,” and inserting “subject to subsection (a)(9).”.

(2) INSPECTOR GENERAL REVIEW.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Inspector General of the Department and the Inspector General of the Department of the Interior shall jointly begin an audit of the tribal transportation program under section 202 of title 23, United States Code (referred to in this subsection as the “program”).

(B) REVIEW.—The audit under subparagraph (A) shall include—

(i) a review of the data collection and management processes used by the Secretary of the Interior in maintaining the national inventory of tribal transportation facilities under section 202(b)(1) of title 23, United States Code; and

(ii) a review of the administration of the program, including whether—

(I) funding under the program is distributed in a timely manner that is consistent with statutory and regulatory requirements; and

(II) the current procedures and practices used by the Secretary of the Interior to allocate funding for tribal transportation facilities (as defined in section 101(a) of title 23, United States Code) under the program are transparent and consistently applied.

(C) REPORT.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department and the Inspector General of the Department of the

Interior shall jointly submit a report describing the results of the audit under subparagraph (A) to—

- (i) the Committee on Environment and Public Works of the Senate;
- (ii) the Committee on Indian Affairs of the Senate;
- (iii) the Committee on Transportation and Infrastructure of the House of Representatives; and
- (iv) the Committee on Natural Resources of the House of Representatives.

(3) COMPTROLLER GENERAL REVIEW.—

(A) IN GENERAL.—The Comptroller General of the United States (referred to in this paragraph as the “Comptroller General”) shall initiate an audit of the program.

(B) REVIEW.—The audit under subparagraph (A) shall include an examination of—

- (i) the funding formula of the program under section 202(b)(3) of title 23, United States Code, including key decisions made over time that have affected the methods used to determine tribal shares of program funds;
- (ii) whether, for purposes of allocating funding under section 202 of title 23, United States Code, the allocation methodology under subpart D of part 1000 of title 24, Code of Federal Regulations (as in effect on the date of enactment of this Act), provides an accurate and reliable estimate of tribal population;
- (iii) potential alternatives to the methodology described in clause (ii) for purposes of allocating funding under section 202 of title 23, United States Code;
- (iv) how the Secretary of the Interior ensures that—

(I) the program is consistently administered; and

(II) program decisions are transparently and consistently made; and

(v) the potential effects of having the program administered solely by the Secretary of the Interior or the Secretary.

(C) REPORT.—Not later than 540 days after the date of enactment of this Act, the Comptroller General shall submit a report describing the results of the audit under subparagraph (A) to—

- (i) the Committee on Environment and Public Works of the Senate;
- (ii) the Committee on Indian Affairs of the Senate;
- (iii) the Committee on Transportation and Infrastructure of the House of Representatives; and
- (iv) the Committee on Natural Resources of the House of Representatives.

(4) OBLIGATION LIMITATIONS.—Notwithstanding section 1102(a) of the FAST Act (23 U.S.C. 104 note; Public Law 114-94) or any other provision of law providing a limitation on obligations for Federal-aid highway and highway safety construction programs for a fiscal year, amounts made available to carry out the tribal transportation program under section 202 of title 23, United States Code, for a fiscal year shall not be subject to the obligation limitation for that fiscal year.

(b) TRANSPORTATION FACILITY ELIGIBILITY.—

(1) DEFINITIONS.—In this subsection:

(A) INVENTORY.—The term “inventory” means the national inventory of tribal transportation facilities under section 202(b) of title 23, United States Code.

(B) PROPOSED ROAD.—The term “proposed road” means a proposed road or facility (as defined in section 170.5 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act)) that is a road, including a primary access route (as defined in that section).

(2) DEADLINE.—Not later than 180 days after the date of enactment of this Act, and not less frequently than every 3 years there-

after, the Secretary and the Secretary of the Interior shall require each Indian Tribe that intends to include a proposed road in the inventory to complete and submit for approval the documentation and other information required under section 170.443(a) of title 25, Code of Federal Regulations (as in effect on November 6, 2019), for the proposed road.

(3) REPORT.—

(A) IN GENERAL.—Not later than 180 days after each deadline described in paragraph (2), the Secretary of the Interior shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the proposed roads approved to be included in the inventory.

(B) REQUIREMENTS.—Each report under subparagraph (A) shall include, for each Indian reservation, Alaska Native village, or other recognized Indian community (including former Indian reservations in the State of Oklahoma)—

(i) the mileage of proposed roads included in the inventory before the deadline described in paragraph (2);

(ii) the mileage of proposed roads approved to be included in the inventory on the basis of the documentation and other information submitted under paragraph (2); and

(iii) an estimate, based on the documentation and other information submitted under paragraph (2), of the construction and maintenance costs of the proposed roads described in clause (ii).

(c) TRIBAL HIGHWAY SAFETY PARTNERSHIPS.—Section 402 of title 23, United States Code, is amended—

(1) in subsection (b)(1)(C), by striking “by” and inserting “by, or on behalf of,”; and

(2) in subsection (h)(2)—

(A) by striking “Notwithstanding” and inserting the following:

“(A) IN GENERAL.—Notwithstanding”; and

(B) by adding at the end the following:

“(B) COOPERATION.—In accordance with section 202(a)(9)(A), an Indian tribe may use amounts described in subparagraph (A) in cooperation with States, counties, and other local subdivisions for highway safety purposes.”.

(d) NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.—Section 1123 of the FAST Act (23 U.S.C. 201 note; Public Law 114-94) is amended—

(1) in subsection (c)(3), by inserting “for a project that is to be carried out by an eligible entity that is not an Indian tribe,” before “having an”; and

(2) in subsection (g)(1)—

(A) by striking “shall be up to” and inserting the following: “shall be—

“(A) for a project carried out by an Indian tribe, up to 100 percent; and

“(B) for a project not described in subparagraph (A), up to”.

(e) TRIBAL TRANSPORTATION ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall establish within the Bureau of Indian Affairs a committee, to be known as the “Tribal Transportation Advisory Committee” (referred to in this subsection as the “Committee”), which shall replace the Tribal Transportation Program Coordinating Committee established under sections 170.135 through 170.137 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Committee shall be composed of—

(i) the Secretary of the Interior (or a designee);

(ii) representatives of a diverse group of Indian Tribes, including—

(I) not fewer than 1 tribal representative from each region of the Bureau of Indian Affairs; and

(II) not more than 3 tribal representatives from any 1 region of the Bureau of Indian Affairs;

(iii) State and local representatives;

(iv) not fewer than 1 representative of the Bureau of Indian Affairs;

(v) not fewer than 1 representative of the Department; and

(vi) other members, as determined to be appropriate by the Secretary of the Interior in consultation with the Committee.

(B) APPOINTMENT.—The Secretary of the Interior shall appoint each member of the Committee.

(C) CHAIRPERSON.—The Secretary of the Interior (or a designee) shall serve as chairperson of the Committee.

(3) TERMS.—Except for the Secretary of the Interior, each member of the Committee shall serve for a term of 3 years.

(4) VACANCIES.—Any vacancy occurring in the membership of the Committee—

(A) shall be filled in the same manner as the original appointment was made; and

(B) shall not affect the power of the remaining members to carry out the duties of the Committee.

(5) DUTIES.—

(A) IN GENERAL.—The Committee shall—

(i) regularly provide advice to the Secretary of the Interior on and, subject to the discretion of the Committee, study issues relating to tribal transportation, including—

(I) the tribal transportation program under section 202 of title 23, United States Code, including—

(aa) the funding formula used to determine tribal shares under the tribal transportation program; and

(bb) the national tribal transportation facility inventory established under subsection (b)(1) of that section;

(II) the road maintenance program managed by the Bureau of Indian Affairs;

(III) grants awarded to Indian tribes for public transportation using amounts made available under section 5311(c)(1) of title 49, United States Code;

(IV) transportation safety within tribal reservations, including—

(aa) traffic safety; and

(bb) safety partnerships with Federal, State, and local authorities;

(V) the availability of transportation funding in the event of a natural disaster; and

(VI) any other policies or procedures related to tribal transportation, as determined by the Committee; and

(ii) carry out the duties of the Tribal Transportation Program Coordinating Committee established under sections 170.135 through 170.137 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(B) BEST PRACTICES AND RECOMMENDATIONS.—The Committee may, on a periodic basis, develop and present to the Secretary of the Interior best practices and recommendations regarding the issues described in subclauses (I) through (VI) of subparagraph (A)(i).

(C) SUBCOMMITTEES.—The Committee may establish any subcommittees necessary to carry out the duties of the Committee.

(6) REPORT TO CONGRESS.—Not later than 180 days after receiving any recommendations from the Committee under paragraph (5)(B), the Secretary of the Interior shall submit to the relevant committees of Congress a report describing those recommendations.

(7) FEDERAL ADVISORY COMMITTEE ACT.—Except as otherwise provided in this section, the Federal Advisory Committee Act (5

U.S.C. App.) shall apply to the Committee and each subcommittee of the Committee.

(8) **DETAIL OF FEDERAL EMPLOYEES.**—

(A) **IN GENERAL.**—On request of the Committee, the Secretary of the Interior may detail, with or without reimbursement, any of the personnel of the Department of the Interior or, in consultation with the Secretary, the Department, to the Committee to assist the Committee in carrying out the duties of the Committee.

(B) **CIVIL SERVICE STATUS.**—Any detail of a Federal employee under subparagraph (A) shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee being detailed.

(9) **PAYMENT AND EXPENSES.**—

(A) **COMPENSATION.**—Members of the Committee shall serve without pay.

(B) **TRAVEL EXPENSES.**—Each member of the Committee shall receive, for a meeting called by the Secretary of the Interior, travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(10) **TERMINATION.**—The Committee, including subcommittees of the Committee, shall terminate on the date that is 10 years after the date of enactment of this Act.

SA 2337. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FEDERAL SHARE.

Notwithstanding any other provision of law, the Federal share of the cost of any project or activity carried out with amounts made available under any division of this Act shall not exceed 50 percent.

SA 2338. Mr. SCOTT of Florida (for himself, Mr. JOHNSON, Mr. TUBERVILLE, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INCREASES IN INFLATION.

(a) **IN GENERAL.**—None of the funds made available by this Act may be disbursed or obligated unless the Congressional Budget Office certifies, not later than 45 days after the date of enactment of this Act, that such funds would not result in an increase in any fiscal year to the baseline forecast for the Consumer Price Index, All Urban Consumers in the most recent 10-year economic outlook publication of the Congressional Budget Office.

(b) **RESULT OF INCREASE.**—If the Congressional Budget Office does not make the cer-

tification under subsection (a), the funds shall be transferred to the general fund of the Treasury to be used only for deficit reduction.

SA 2339. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1297, strike lines 1 through 3 and insert the following:

“(e) **AVAILABILITY OF AMOUNTS.**—Amounts made available by or appropriated under this section shall remain available until expended.

“(f) **REDUCTIONS IN TRANSIT FUNDING.**—

“(1) **REQUIRED REDUCTIONS.**—

“(A) **IN GENERAL.**—Notwithstanding any other provision of law, if the Secretary determines during a fiscal year that, as compared to the previous fiscal year, a State or local governmental authority that receives funding under this chapter from the Secretary has reduced spending on public safety or law enforcement activities, the Secretary shall reduce the amount of the unobligated funding received by the State or local governmental authority from amounts made available under subsection (a) by a percentage equal to the percentage by which the State or local governmental authority reduced the spending on public safety and law enforcement activities.

“(B) **ROLLOVER.**—If there are insufficient unobligated amounts described in subparagraph (A) to make the full reduction required under that paragraph during a fiscal year, the Secretary shall, notwithstanding any other provision of law, reduce the amounts received by the State or local governmental authority from amounts made available under subsection (a) during the succeeding fiscal year in an amount necessary to make the full reduction required under that subparagraph for the previous fiscal year.

“(2) **USE OF WITHHELD FUNDS.**—Amounts not made available to a State or local governmental authority as a result of a reduction under paragraph (1) shall be deposited in the Treasury and used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate.”.

SA 2340. Mr. DAINES (for himself, Mr. PADILLA, Mr. HOEVEN, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—OTHER MATTERS

SEC. 71201. MAINTENANCE OF CLASSIFICATION OF CERTAIN AIRPORTS FOR FISCAL YEARS 2022 AND 2023.

(a) **IN GENERAL.**—Section 47114(c)(1) of title 49, United States Code, is amended by adding at the end the following:

“(K) **SPECIAL RULE ON CLASSIFICATION FOR FISCAL YEARS 2022 AND 2023.**—Notwithstanding section 47102 and subparagraph (A), and subject to subparagraph (J), for fiscal years 2022 and 2023, the Secretary shall classify an airport as a primary nonhub airport if that airport was a primary nonhub airport for fiscal year 2021.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect as if included in the enactment of division L of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

SA 2341. Ms. KLOBUCHAR (for herself, Mrs. FISCHER, Mr. ROUNDS, Mr. MORAN, Ms. ERNST, Mr. GRASSLEY, Ms. DUCKWORTH, Mr. MARSHALL, Mr. DURBIN, Mr. THUNE, Ms. SMITH, Mr. SASSE, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION ____—MISCELLANEOUS

SEC. ____001. ETHANOL WAIVER.

(a) **REID VAPOR PRESSURE LIMITATION.**—Section 211(h) of the Clean Air Act (42 U.S.C. 7545(h)) is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting “or more” after “10 percent”; and

(B) in subparagraph (C), by striking “additional alcohol or”; and

(2) in paragraph (5)(A), by inserting “or more” after “10 percent”.

(b) **EXISTING WAIVERS.**—Section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) is amended—

(1) by striking “The Administrator, upon” and inserting the following:

“(A) The Administrator, upon”; and

(2) by adding at the end the following:

“(B) A fuel or fuel additive that has been granted a waiver under subparagraph (A) prior to January 1, 2017, and meets all of the conditions of that waiver, other than the waiver’s limits for Reid Vapor Pressure, may be introduced into commerce if the fuel or fuel additive meets all other applicable Reid Vapor Pressure requirements.”.

SA 2342. Mr. KELLY (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows: